

DATE: April 12, 2007

TO: CVRC Board Directors

VIA: Jim Thomson, Interim Chief Executive Officer *JH*
Ann Hix, Acting Director of Community Development *AH*

FROM: Mary Ladiana, Planning Manager *ML*

SUBJECT: Public Hearing to Consider DRC-06-69, Industrial buildings at Chula Vista Commerce Center, 3525-3527 Main Street

Project Area:	Merged Chula Vista Redevelopment Project Area
Developer:	Voit Development Company
Project Site:	3525 & 3527 Main Street
Project Type:	Design Review
Project Description:	Multi-tenant industrial complex on a 2.24-acre site located at the southwest corner of Main Street and Reed Court. The project will include two concrete buildings totalling approximately 38,000 square feet of light manufacturing and limited warehousing.

ENVIRONMENTAL

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and an Initial Study, IS-07-022 has been conducted in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, it has been determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, a Mitigated Negative Declaration, IS-07-022, has been prepared.

RECOMMENDATION:

That the Chula Vista Redevelopment Corporation adopt a resolution:

- 1) Adopting Mitigated Negative Declaration (IS-07-022); and
- 2) Approving Design Review (DRC-06-69), subject to the list of conditions in the CVRC Resolution.

BOARDS/COMMISSIONS RECOMMENDATIONS

At its meeting of February 1, 2007, the Redevelopment Advisory Committee (RAC) reviewed and discussed the application for the proposed multi-tenant industrial space at 3525-3527 Main Street. The RAC considered that the proposed buildings were well-suited for the site and they commented that this complex, along with the adjacent buildings to the west, would be an improvement from the present development in the area. Public comments raised concerns regarding drainage along Reed Court, in particular during rainstorms. The RAC requested that this issue be addressed at the subsequent RAC meeting.

On March 1, 2007, the RAC again considered the project, and at that meeting the Engineering Department addressed drainage issues. While drainage is an issue in this vicinity, the project and the conditions placed upon it will cause a reduction in off-site drainage. The Applicant has agreed to implement those conditions.

DECISION MAKER CONFLICTS:

Staff has reviewed the property holdings of the CVRC Board and has found no property holdings within 500 feet of the boundaries of the property which is the subject of this action.

DISCUSSION:

1. Site Location and Surrounding Uses

The subject property is located on the south side of Main Street, between Albany Avenue and Reed Court (see Attachment 1). The 2.24-acre project site has approximately 280 feet of frontage along Main Street and 330 along Reed Court. It has previously been used by a variety of small businesses involved in light industrial uses.

Land uses adjacent to the project site include auto repair and wrecking uses to the east, the Otay Gym and Recreation Center to the north across Main Street, auto towing and storage to the south, and a newly constructed multi-tenant industrial building to the west.

2. Project Description

The proposed project consists of two industrial buildings, one being 35 feet and the other 29 feet in height, the taller one having a mezzanine on its north side. Construction is of concrete tilt-up panels in two shades of beige, with unpainted steel canopies above all suite entrances. The center driveway from the east provides truck access to the rear of both buildings, which have roll-up doors. Trash and electric service enclosures are concealed from view in the center driveway.

The main driveway and pedestrian entrance is from Main Street on the north side of the lot, while there are three driveways and one pedestrian route from Reed Court to the east. Site circulation accesses all sides of the buildings, with 95 parking stalls around the buildings. Landscaping materials, including trees, shrubs and lawn, will be distributed around the perimeter of the lot.

3. Development Standards

The development is in accordance with the following criteria:

Assessor's Parcel No.:	619-100-15
Current Zoning	IL-P – Limited Industrial Zone
Proposed Zoning	Same
General Plan	IL – Limited Industrial
Building Coverage	39%
Lot Area	2.24 acres

DEVELOPMENT STANDARDS: REQUIRED	PROPOSED
Setbacks (per IL zone) Front Yard: 20 feet Ext. Side Yard: 15 feet Side Yard: none Rear Yard: none	20 feet 15 feet 50 feet 58 feet
Parking (per CVMC 19.62.050) Manuf. (1/800sf) 47 spaces	95 spaces

4. Analysis

The project has been evaluated in accordance with the goals and objectives of the Chula Vista General Plan (2005), the Zoning Ordinance and the City's Design Manual. While the project site is within the Merged Redevelopment Project Area, the Amended and Restated Redevelopment Plan (2004) for this Project Area defers to the City's General Plan and Zoning Ordinance for land use authority. As described above the proposed project is consistent with the land use designation in the General Plan and the development standards for the IL zone.

The guidelines for industrial development in the City's Design Manual are intended to:

Encourage projects which respect the character and scale of adjoining developments, with particular attention to sites in older, mixed-use areas, and sites which adjoin residential neighborhoods or other uses which may be particularly sensitive to the scale and impacts of industrial development.
(CVDM p. IV-1)

In addition to this project being adjacent to a development designed by the same architect and having similar and compatible design features, these buildings are sensitive to the scale of the residential development to the north. By maintaining a height not dissimilar to the cityscape to the north, as well as providing vertical wall plane variations that subtly mirror the residential development, the overall project is harmonious with surrounding structures.

Promote a functional and attractive arrangement of buildings, open spaces, parking, circulation and loading areas which are sensitive to the physical characteristics and constraints of the site, and which provide efficient and pleasant places to work. (CVDM p. IV-1)

The site plan and building arrangement is appropriate for the parcel and provides loading and utility areas concealed between the two buildings. Taking into account that many employees might use public transportation, this site plan provides two effective routes for pedestrian access, both of which lead directly to the more attractive main building facades. The three access points along Reed Court meet the Fire Department's access requirements. The overall landscaping is consistent with City standards and provides a good transition and extension to the adjacent industrial complex located to the west of the site which is currently under construction.

Create a high quality of architectural and landscape design, with an emphasis on functional needs, reducing the apparent mass of large scale

buildings, and screening and buffering loading, storage and working areas from incompatible land uses and from the public view. (CVDM p. IV-1)

Rather than just providing a flat, utilitarian façade to these simple buildings, the designer has articulated the two main facades, reducing the building mass and thus providing a much higher quality architectural appearance. All loading, storage and working areas are located in the center of the complex and would be screened from view.

5. Additional Site Design Issue

At the February 1, 2007 RAC meeting, an adjacent neighbor to the south raised the issue of the flooding his site received during rainstorms, explaining that drainage travels down Reed Court from Main Street. RAC members requested a clarification regarding City-required street improvements. At the March 1, 2007 meeting, City Engineering Department staff provided information regarding the status of their review of the project's site drainage. Staff indicated that the developer had submitted and obtained approval of a preliminary drainage study. This study concluded that the project would reduce peak runoff flows from the project site by incorporating landscaping and detention facilities within the project boundaries, thus reducing any potential drainage problems. The drainage study has been reviewed by City Engineering staff and measures to retain runoff and incorporate best management practices (BMPs) will be a condition of project approval. The Engineering Department has identified Reed Court in their CIP list for drainage improvements. The ultimate improvement of the drainage facilities along the entire length of Reed Court would be addressed at that time. Because of pending long-term drainage improvements, the Engineering Department is requiring the applicant to provide interim street improvements instead of permanent half-width improvements along Reed Court. The conditions of approval are attached to the draft Resolution.

REDEVELOPMENT FISCAL IMPACT

The proposed project will create an increase in assessed valuation and the Agency will receive one percent of this increase as tax increment revenue. Of the one percent, the Agency will place 20% in the low and moderate income housing fund, 20% to the County of San Diego, 7% to the Sweetwater Union High School District, 2% to Southwestern Community College, 1% to the San Diego County Office of Education, and 11% to the Chula Vista Elementary School District, leaving the Agency approximately 39% percent of the 1% increase in assessed valuation available for redevelopment activities. The pass through percentages are applicable to the Southwest Project area only.

ATTACHMENTS:

- Attachment 1: Site and Building Plans
Attachment 2: Development Application with the following appendices:
 Appendix A - Project Description and Justification
 Appendix B - Disclosure Statement
 Appendix C - Development Permit Processing Agreement
Attachment 3: Mitigated Negative Declaration IS-07-022

PREPARED BY: Ann Pease, Associate Planner

**ATTACHMENT 1 CONSISTS OF SITE AND BUILDING PLANS
AND IS INCLUDED IN YOUR BINDER**



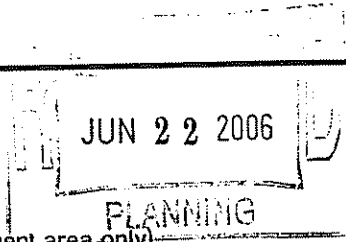
Planning & Building Department

Planning Division

APPLICATION ■ DEVELOPMENT PROCESSING ■ TYPE A
Part 1

Type of Review Requested

- ☐ Conditional Use Permit
☒ Design Review
☐ Variance
☐ Special Use Permit (redevelopment-area only)
☐ Misc. _____



STAFF USE ONLY

Case #: DRC-06-69
 Filing Date: 6/22/06 By: SB
 Assigned Planner: A. PENSE
 Project Account: BL-789
 Deposit Account: 1353
 Related Cases: _____

☐ Z.A. ☒ Public Hearing

Application Information

Applicant Name: VOIT DEVELOPMENT COMPANY
 Applicant Address: 4370 LA JOLLA VILLAGE DRIVE SUITE 900 S.D. CA 92122
 Contact Name: PETER QUINN Phone: 858.458.3383
 Applicant's Interest in Property (If applicant is not the owner, the owner's authorization signature at the end of this form is required to process this request.) ☒ Own ☐ Rent ☐ Other: _____
 Architect/Agent: WARE MALCOMB Address: 9605 SCRANTON RD #310 S.D. CA 92122
 Contact Name: BRIAN FISHER Phone: 858.638.7277 EXT. 102
 Primary contact is: ☒ Applicant ☐ Architect/Agent Email of primary contact: pquinn@voitco.com

General Project Description (all types)

Project Name: CHULA VISTA COMMERCE CENTER # Proposed Use: INDUSTRIAL
 General Description of Proposed Project: (2) NEW INDUSTRIAL BUILDINGS

Has this project received pre-application review comments? ☐ Yes (Date: _____) ☒ No

Subject Property Information (all types)

Location/Street Address: 3525 & 3527 MAIN STREET
 Assessor's Parcel #: 629-100-15 Total Acreage: 2.19 Redevelopment Area (if applicable): SOUTHWEST
 General Plan Designation: IL Zone Designation: ILP
 Planned Community (if applicable): N/A
 Current Land Use: INDUSTRIAL Within Montgomery Specific Plan? ☐ Yes ☒ No

Proposed Project (all types)

Type of use proposed: ☐ Residential ☐ Commercial ☒ Industrial ☐ Other: _____
 Landscape Coverage (% of lot): _____ Building Coverage (% of lot): 37%

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**Residential Project Summary**

Type of dwelling unit(s): _____ Number of lots: _____

Dwelling units:

PROPOSED

EXISTING

1 Bedroom _____

2 Bedroom _____

3+ Bedroom _____

TOTAL _____

Density (DU/acre): _____ Maximum building height: _____ Minimum lot size: _____ Average lot size: _____

Parking Spaces:

Required by code: _____ Provided: _____

Type of parking (i.e. size; whether covered, etc.): _____

Open space description (acres each of private, common, and landscaping): _____

Non-Residential Project SummaryGross floor area: 35,399 Proposed: 35,399 Existing: N/A Building Height: 35'-0"Hours of operation (days & hours): 8AM - 5PM MONDAY - FRIDAYAnticipated number of employees: 50 Maximum number of employees at any one time: 62Number and ages of students/children (if applicable): N/A Seating capacity: N/A**Parking Spaces:**Required by code: 36 Provided: 95Type of parking (i.e. size; whether covered, etc.): OPEN PARKING ON ASPHALT PAVED LOT.**Authorization**Print applicant name: BRIAN TISHERApplicant Signature: [Signature] Date: 4-11-06Print owner name*: Robert B. QuinnOwner Signature*: [Signature] Date: 5-10-06

*Note: Proof of ownership may be required. Letter of consent may be provided in lieu of signature.

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APPLICATION APPENDIX A

Project Description & Justification

Project Name: CHULA VISTA COMMERCE CENTER II

Applicant Name: VOIT DEVELOPMENT COMPANY

Please fully describe the proposed project, any and all construction that may be accomplished as a result of approval of this project, and the project's benefits to yourself, the property, the neighborhood, and the City of Chula Vista. Include any details necessary to adequately explain the scope and/or operation of the proposed project. You may include any background information and supporting statements regarding the reasons for, or appropriateness of, the application. Use an addendum sheet if necessary.

For all Conditional Use Permits or Variances, please address the required "findings" as listed in the Application Procedural Guide.

TWO NEW INDUSTRIAL BUILDINGS TO BE CONSTRUCTED
ON THE EXISTING 3525 MAIN ST. SITE.
TO ACHIEVE THIS, THE EXISTING ADVANCE PAINT &
BODY STRUCTURE & ASSOCIATED ITEMS SHALL BE
DEMOLISHED & CLEARED
THE PROPOSED SITE SHALL BE SIMILAR IN SCOPE
AS THE NEIGHBORING PROPERTY TO THE WEST. THE
APPEARANCE WILL BE TILT-UP CONCRETE (PAINTED) w/
TINTED GLAZING & FULLY LANDSCAPED IN EXCESS OF
MINIMUM CITY STANDARDS



APPLICATION APPENDIX B

Disclosure Statement

Pursuant to Council Policy 101-01, prior to any action upon matters that will require discretionary action by the Council, Planning Commission and all other official bodies of the City, a statement of disclosure of certain ownership or financial interests, payments, or campaign contributions for a City of Chula Vista election must be filed. The following information must be disclosed:

1. List the names of all persons having a financial interest in the property that is the subject of the application or the contract, e.g., owner, applicant, contractor, subcontractor, material supplier.

3525 Main St. Partners, LLC

2. If any person* identified pursuant to (1) above is a corporation or partnership, list the names of all individuals with a \$2000 investment in the business (corporation/partnership) entity.

N/A

3. If any person* identified pursuant to (1) above is a non-profit organization or trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

N/A

4. Please identify every person, including any agents, employees, consultants, or independent contractors you have assigned to represent you before the City in this matter.

BRIAN TISHER, WARE MALLOMB
SERRA LOYERBERG, WARE MALLOMB

5. Has any person* associated with this contract had any financial dealings with an official** of the City of Chula Vista as it relates to this contract within the past 12 months. Yes ___ No ☒

If Yes, briefly describe the nature of the financial interest the official** may have in this contract.

6. Have you made a contribution of more than \$250 within the past twelve (12) months to a current member of the Chula Vista City Council? No ☒ Yes ___ If yes, which Council member?

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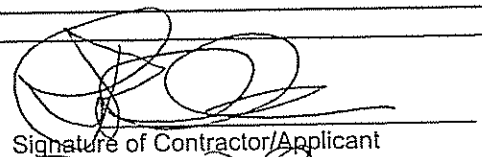
APPLICATION APPENDIX B

Disclosure Statement – Page 2

7. Have you provided more than \$340 (or an item of equivalent value) to an official** of the City of Chula Vista in the past twelve (12) months? (This includes being a source of income, money to retire a legal debt, gift, loan, etc.)
Yes ___ No ☒

If Yes, which official** and what was the nature of item provided?

Date: 4/3/06



Signature of Contractor/Applicant

Peter B Quinn

Print or

type name of Contractor/Applicant

- * Person is defined as: any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, any other county, city, municipality, district, or other political subdivision, -or any other group or combination acting as a unit.
- ** Official includes, but is not limited to: Mayor, Council member, Planning Commissioner, Member of a board, commission, or committee of the City, employee, or staff members.

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CITY OF CHULA VISTA
STATEMENT OF AMOUNT DUE
PLANNING DIVISION

Project Type:DESIGN REVIEW
Sub-Type: HEARING
Planning Case #:DRC-06-69
Receipt #: R04042448

Project Title: Chula Vista Commerce Center II
Location: 3525 & 3527 Main St
Applicant: VOIT DEVELOPMENT COMPANY
Project Acct #: BL-789
Deposit Acct #: 1353

Transaction Date: 06/21/2006

Total Payment: \$4,120.00

Transaction List:

Type	Method	Check #	Amount
Payment	Check	24	4,120.00

Account Item List:

Fee Description	Trans Code	Pmt Amt
Public Hearing	9501	4,000.00
Records Management Fee	2153	120.00

Account Number: 00892-2721/01091353-800000

Initials:SB
Entered Date:06/21/2006

User Id:SYDNEYB
Time:04:08 PM



APPLICATION APPENDIX C

Development Permit Processing Agreement

Permit Applicant:

Applicant's Address:

Type of Permit:

Agreement Date:

Deposit Amount:

VOIT DEVELOPMENT COMPANY
4370 LA JOLLA VILLAGE DR. #900 S.D. CA 92022
\$4,200.00

This Agreement ("Agreement") between the City of Chula Vista, a chartered municipal corporation ("City") and the forenamed applicant for a development permit ("Applicant"), effective as of the Agreement Date set forth above, is made with reference to the following facts:

Whereas, Applicant has applied to the City for a permit of the type aforereferenced ("Permit") which the City has required to be obtained as a condition to permitting Applicant to develop a parcel of property; and,

Whereas, the City will incur expenses in order to process said permit through the various departments and before the various boards and commissions of the City ("Processing Services"); and,

Whereas the purpose of this agreement is to reimburse the City for all expenses it will incur in connection with providing the Processing Services;

Now, therefore, the parties do hereby agree, in exchange for the mutual promises herein contained, as follows:

1. Applicant's Duty to Pay.

Applicant shall pay all of City's expenses incurred in providing Processing Services related to Applicant's Permit, including all of City's direct and overhead costs related thereto. This duty of Applicant shall be referred to herein as "Applicant's Duty to Pay."

1.1. Applicant's Deposit Duty.

As partial performance of Applicant's Duty to Pay, Applicant shall deposit the amount aforereferenced ("Deposit").

- 1.1.1. City shall charge its lawful expenses incurred in providing Processing Services against Applicant's Deposit. If, after the conclusion of processing Applicant's Permit, any portion of the Deposit remains, City shall return said balance to Applicant without interest thereon. If, during the processing of Applicant's Permit, the amount of the Deposit becomes exhausted, or is imminently likely to become exhausted in the opinion of the City, upon notice of same by City, Applicant shall forthwith provide such additional deposit as City shall calculate as reasonably necessary to continue Processing Services. The duty of Applicant to initially deposit and to supplement said deposit as herein required shall be known as "Applicant's Deposit Duty".

2. City's Duty.

City shall, upon the condition that Applicant is no in breach of Applicant's Duty to Pay or Applicant's Deposit Duty, use good faith to provide processing services in relation to Applicant's Permit application.

- 2.1. City shall have no liability hereunder to Applicant for the failure to process Applicant's Permit application, or for failure to process Applicant's Permit within the time frame requested by Applicant or estimated by City.

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Development Permit Processing Agreement – Page 2

2.2. By execution of this agreement Applicant shall have no right to the Permit for which Applicant has applied. City shall use its discretion in valuating Applicant's Permit Application without regard to Applicant's promise to pay for the Processing Services, or the execution of the Agreement.

3. Remedies.

3.1. Suspension of Processing

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to suspend and/or withhold the processing of the Permit which is the subject matter of this Agreement, as well as the Permit which may be the subject matter of any other Permit which Applicant has before the City.

3.2. Civil Collection

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to collect all sums which are or may become due hereunder by civil action, and upon instituting litigation to collect same, the prevailing party shall be entitled to reasonable attorney's fees and costs.

4. Miscellaneous.

4.1 Notices.

All notices, demands or requests provided for or permitted to be given pursuant to this Agreement must be in writing. All notices, demands and requests to be sent to any party shall be deemed to have been properly given or served if personally served or deposited in the United States mail, addressed to such party, postage prepaid, registered or certified, with return receipt requested at the addresses identified adjacent to the signatures of the parties represented.

4.2 Governing Law/Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action arising under or relating to this Agreement shall be brought only in the federal or state courts located in San Diego County, State of California, and if applicable, the City of Chula Vista, or as close thereto as possible. Venue for this Agreement, and performance hereunder, shall be the City of Chula Vista.

4.3. Multiple Signatories.

If there are multiple signatories to this agreement on behalf of Applicant, each of such signatories shall be jointly and severally liable for the performance of Applicant's duties herein set forth.

4.4. Signatory Authority.

This signatory to this agreement hereby warrants and represents that he is the duly designated agent for the Applicant and has been duly authorized by the Applicant to execute this Agreement on behalf of the Applicant. Signatory shall be personally liable for Applicant's Duty to Pay and Applicant's Duty to Deposit in the event he has not been authorized to execute this Agreement by Applicant.

4.5 Hold Harmless.

Applicant shall defend, indemnify and hold harmless the City, its elected and appointed officers and employees, from and against any claims, suits, actions or proceedings, judicial or administrative, for writs, orders, injunction or other relief, damages, liability, cost and expense (including without limitation attorneys' fees) arising out of City's actions in processing or issuing Applicant's Permit, or in exercising any discretion related thereto including but not limited to the giving of proper environmental review, the holding of public hearings, the extension of due process rights, except only for those claims, suits, actions or proceedings arising from the sole negligence or sole willful conduct of the City, its officers, or employees known to, but not objected to, by the Applicant. Applicant's indemnification shall include any and all costs, expenses, attorney's fees and liability incurred by the City, its officers, agents, or employees in defending against such claims, whether the same proceed to judgement or not. Further, Applicant, at its own expense, shall, upon written request by the City, defend any such suit or action brought against the City, its officers, agents, or employees. Applicant's indemnification of City shall not be limited by any prior or subsequent declaration by the

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Development Permit Processing Agreement – Page 3

Applicant. At its sole discretion, the City may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition.

4.6 Administrative Claims Requirements and Procedures.

No suit or arbitration shall be brought arising out of this agreement against the City unless a claim has first been presented in writing and filed with the City of Chula Vista and acted upon by the City of Chula Vista in accordance with the procedures set forth in Chapter 1.34 of the Chula Vista Municipal Code, as same may from time to time be amended, the provisions of which are incorporated by this reference as if fully set forth herein, and such policies and procedures used by the City in the implementation of same. Upon request by City, Consultant shall meet and confer in good faith with City for the purpose of resolving any dispute over the terms of this Agreement.

Now therefore, the parties hereto, having read and understood the terms and conditions of this agreement, do hereby express their consent to the terms hereof by setting their hand hereto on the date set forth adjacent thereto.

Dated: _____

City of Chula Vista
276 Fourth Avenue
Chula Vista, CA

By: _____

Dated: _____

By: _____

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Mitigated Negative Declaration

PROJECT NAME: Chula Vista Commerce Center II

PROJECT LOCATION: 3525-3527 Main Street

ASSESSOR'S PARCEL NO.: APN #629-100-1500

PROJECT APPLICANT: Voit Development Company/Peter Quinn

CASE NO.: IS-07-022

DATE OF DRAFT DOCUMENT: February 19, 2007

DATE OF CVRC MEETING: March 22, 2007

DATE OF FINAL DOCUMENT: March 23, 2007

Prepared by: Maria C. Muett, Associate Planner

Revisions made to this document subsequent to the issuance of the notice of availability of the draft Mitigated Negative Declaration are denoted by underline.

A. Project Setting

The 2.19-acre project site is located at 3525-3527 Main Street, southwest corner of Main Street and Reed Court, within the urbanized area of Western Chula Vista; see (Exhibit 1- Location Map). The site has four access points; one from Main Street and three from Reed Court. One of the accesses provides truck access to the rear of the project site. The square-shaped site is relatively flat and gently slopes in a southerly direction. The existing project site is fully developed and presently there is an existing industrial building that accommodated previous land uses including paint and body shop, dirt storage and a recycling plant. The project site is located within the City's MSCP designated Developable Area. The land uses immediately surrounding the project site are as follows:

North:	City Recreational Center and SDG&E easement
South:	Auto Towing and Storage
East:	Auto Repair and Auto Wrecking
West:	Multi-tenant Industrial Buildings

B. Project Description

The proposal consists of the development of two concrete speculative buildings, one with a total of 21,991 square-feet, including a 6,693 square-foot mezzanine, and the second building containing 15,298 square-feet. Both buildings are proposed to be used for light manufacturing and limited warehousing space. The existing industrial building and other accessory structures will be demolished. The project proposal includes paved parking areas providing 95 parking spaces that complies with the City Parking Ordinance requirement. The proposed onsite improvements include improved drainage facilities, fire hydrants, retaining walls, fencing, improved paved areas, lighting and landscape treatments. The existing driveways are to be realigned with new curb, gutter and sidewalk improvements. The project site is located within the ILP (Limited Industrial/Precise Plan) Zone and Limited Industrial (Research and Limited Industrial) General Plan land use designations, (Exhibit 2 – Site Plan).

C. Compliance with Zoning and Plans

The proposed project site is designated by the General Plan ILP (Limited Industrial/Precise Plan) and the designated Zoning is Limited Industrial (Research and Limited Industrial). The proposed uses are permitted uses in the IL Zone. The project has been found to be consistent with the applicable zoning regulations and General Plan.

D. Public Comments

On January 12, 2007, a Notice of Initial Study was circulated to property owners within a 500-foot radius of the proposed project site. The public review period ended January 22, 2007. One comment was received regarding drainage issues and addressed in the Mitigated Negative Declaration.

On February 21, 2007 a Notice of Availability of the Proposed Mitigated Negative Declaration for the project was posted in the County Clerk's Office and circulated to property owners within a 500-foot radius of the project site. The 30-day public comment period closed on March 22, 2007. No written public comments were received during the public review period.

E. Identification of Environmental Effects

An Initial Study conducted by the City of Chula Vista (including an attached Environmental Checklist form) determined that the proposed project may have potential significant environmental impacts however; mitigation measures have been incorporated into the project to reduce these impacts to a less than significant level. This Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the State of California Quality Act (CEQA) Guidelines. A copy of the document and the materials, which constitute the record of proceedings upon which its decision is based, is available at the Planning and Building Department, custodian of record (Planning and Building Director/Environmental Review Coordinator).

Air Quality

In order to assess potential Air Quality impacts an Air Quality Assessment was prepared by Scientific Resources Associated, (2/15/2007) for the *Chula Vista Commercial Center II*.

Short-Term

The Air Quality Assessment determined that the proposed project could result in short-term air quality impacts associated with construction activities. The minimal grading of the site, demolition, building construction and worker and equipment vehicles trips will create temporary emissions consisting of dust, fumes, equipment exhaust, and other air pollutants. Air quality impacts resulting from the construction-related operations are considered short-term in duration since construction-related activities are a relatively short-term activity.

Demolition

Demolition would require removal of an existing 10,000 square foot structure and other ancillary smaller structures. A total of 7,407 cubic yards of demolition materials will be removed. It is anticipated that the entire 2.19-acre site will be graded in one workday. Air pollutants from the grading activity are estimated at 21.90 lbs./day. In addition, approximately 4,500 cubic yards of fill proposed to be imported for leveling the site. With appropriate dust control measures to control fugitive dust generation during grading that includes watering three times daily, emissions would be controlled and lessened.

Construction

In order to analyze potential project impacts/emissions, the emission factors and threshold criteria contained in the 1993 South Coast Air Quality Management District CEQA Handbook for Air Quality Analysis were used. A comparison of daily construction emissions to the SCAQMD's emission thresholds of significance for each pollutant was analyzed. Emissions were calculated using the URBEMIS 2002 model. Implementation of the Mitigation Measure 1 contained in Section F below would mitigate short-term construction-related air quality impacts to below a level of significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Long-Term and Operational Impacts

The main operational impacts associated with the project would be related to traffic. Minor impacts would be associated with energy use and landscaping. In order to assess project generated emission factors, the emissions associated with project-generated traffic were compared with the SCAQMD's quantitative significance criteria. The worse case scenario trips generation rate for a larger scale commercial project was used. The results indicate that this type of project would generate approximately 20 trips per 1000 square feet of development. Because the project is not anticipated to generate a high amount of truck traffic, impacts from emissions of TACs would not be anticipated to cause a significant impact to sensitive receptors.

In order to assess whether the project's contribution to ambient air quality is cumulatively considerable, the project's emissions were quantified with respect to regional air quality. The proposed project once developed will not result in significant long-term air quality impacts. The projected minimal traffic generated volumes would not result in significant long-term local or regional air quality impacts. No area source or operational vehicle emission estimates will exceed the Air Quality significance thresholds; therefore, no mitigation measures are required.

Hazards and Hazardous Materials

A Phase I Environmental Site Assessment was prepared by MCBE (May 11, 2001), in order to assess potential hazards associated with previous land uses. Subsequently, a Phase II Environmental Site Assessment and an Interim Site Closure Report were prepared by Geotec Inc., dated respectively October 31, 2005 and October 9, 2006. Copies of the reports are available at the Planning and Building Department.

Phase I Environmental Site Assessment

The Phase I Environmental Site Assessment prepared for the project site identified environmental conditions of concern associated with the following previous land uses: a) paint and body shop; b) dirt storage and sales; c) recycling facility operations. The Phase I ESA recommended additional assessment work to further characterize the noted environmental conditions.

Phase II Environmental Site Assessment

A Phase II Environmental Site Assessment report prepared by MCBE, identified the need for removal and remediation of contaminated soil, area drains, 5-gallon cans of automotive waste and batteries, dilapidated buildings, and other identified liquids and scraps from the project site.

Interim Site Closure Report

The report detailed the remediation of the hydrocarbon and lead contaminated soil at the subject property. The applicant initiated the remedial activities and entered into the County of San Diego Department of Environmental Health Services (DEHS) Voluntary Assistance Program/Site Assessment and Mitigation Program (SAM). On November 27, 2006 the applicant submitted the remediation plan and the non-hazardous waste manifesto and evidence of soil stockpile removal and associated disposal activities to the County of San Diego DEHS for concurrence with these actions.

The County of San Diego Department of Environmental Health Services (DEHS) reviewed the Phase II report and concurred with the recommendations, which includes a compacted fill remedial measure, proper disposal of contaminated soils, and the requirement for a qualified environmental technician to be present on site during remediation, demolition and construction activities. Pursuant to the County of San Diego, DEHS correspondence dated December 5, 2006, a case closure summary concurred that the cleanup goals established for the submit site had been met. However, in the event of any suspicious contamination or environmental concerns are discovered during demolition, grading or excavation of the existing activities this must be reported accordingly to the County of San Diego DEHS and City of Chula Vista Environmental Review Coordinator.

The mitigation measures contained in Section F below will mitigate potential hazards/hazardous material impacts to below a level of significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Asbestos and lead-based paint

The existing paint and body building structures may contain asbestos and lead-based paint. Prior to any demolition activities the presence of asbestos and lead-based paint must be ascertained and removed if present by a licensed, registered, asbestos and lead abatement contractor in accordance with all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361.145, Standard for Demolition and Renovation. The mitigation measure contained in Section F below would mitigate potential hazards/hazardous material impacts associated with the release of asbestos and lead to below a level of significance.

Hydrology and Water Quality

Existing Conditions

In order to assess potential hydrology impacts, a preliminary hydrology study was prepared by Burkett & Wong Engineering, dated February 2, 2007. The study analyzed the existing and proposed drainage improvements, pre-development and post-development 100-year peak runoff rates (over a 24 hour storm frequency) including potential cumulative impacts for the proposed project. As indicated in the drainage plan, the site is divided into four drainage basins as follows: a) surface runoff flows onto Main Street, b) existing asphalt parking lot flows onto the adjacent property to the west, c) flows from the existing parking lot into the existing vegetated swale on Reed Court, and lastly, d) existing buildings and paved areas sheetflow off-site through the southwest corner off the site onto the adjacent property.

Proposed Conditions

The proposed improvements include a new asphalt parking lot, catch basins, storm drain and landscaped areas. The increased landscaped areas will reduce the amount of impervious surfaces by 30% according to the study.

3-20

The project site has been divided into five drainage basins as follows: a) this area onto Main Street remains the same; b) a portion of the new parking lot area and landscaping will flow along a new concrete swale, new catch basin, new storm drain pipe into the existing vegetated swale on Reed Court; c) the portion of the new buildings and pavement area runoff will be collected into three new catch basins which flow through the new storm drainage systems, under the new northern driveway, and into the existing vegetated swale on Reed Court; d) another portion of the new building and parking lot runoff will flow into a new grass lined swale, along the west portion of the project site and into a new concrete gutter along the south side. This runoff will then flow towards the southwest corner of the property and not flow onto adjacent property, and lastly; e) portion of new building and parking lot area will flow into the new gutter and offsite through the new southern driveway onto Reed Court.

The proposed improvements and identified drainage basins will decrease the amount of runoff from the site onto adjacent properties. Project drainage conveyance will be directed to an existing vegetated swale on Reed Court. The existing vegetated swale's capacity was analyzed and a worse case scenario of the existing 36" CMP discharging into the swale determined that this drainage facility had more than adequate capacity to handle the project runoff. This existing flow consisted of 39.81 cubic feet/second and the proposed flow would be equivalent to 41.70 cubic feet/second. Based upon project modifications and proposed drainage improvements on and off-site, these improvements actually improve the drainage on the project site and lessen the overall impact to Reed Court. In addition, the Engineering Department concurs with the study findings that the runoff directed towards Reed Court will be reduced from predevelopment levels, thus reducing any potential drainage problems.

Additional Best Management Practices (BMPs) included as part of the project design are enhanced landscaped treatments, storm drain inlet protection system, rip rap outlet protection, cleaning and filtration system, protection of access and perimeter containment measures.

As a standard condition, a final drainage study will be required in conjunction with the preparation of the project grading plans. Properly designed drainage facilities will be installed at the time of the site development to the satisfaction of the City Engineer. In addition, compliance with required NPDES regulations and BMPs will reduce water quality impacts to a less than significance level. These measures are included as a part of the Mitigation Monitoring and Reporting Program (See Section F).

F. Mitigation Necessary to Avoid Significant Impacts

Air Quality

1. The following air quality mitigation requirements shall be shown on all applicable grading, and building plans as details, notes, or as otherwise appropriate, and shall not be deviated from unless approved in advance in writing by the City's Environmental Review Coordinator:
 - Minimize simultaneous operation of multiple construction equipment units.
 - Use low pollutant-emitting construction equipment.
 - Use electrical construction equipment as practical.
 - Use catalytic reduction for gasoline-powered equipment.
 - Use injection-timing retard for diesel-powered equipment.
 - Water the construction area minimum three times daily to minimize fugitive dust.
 - Stabilize graded areas as quickly as possible to minimize fugitive dust.
 - Pave permanent roads as quickly as possible to minimize dust.

- Use electricity from power poles instead of temporary generators during building, if available.
- Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry.
- Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads.
- Remove any visible track-out into traveled public streets within 30 minutes of occurrence.
- Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred.
- Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads.
- Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling.
- Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour.

Hazards/Hazardous Materials

2. During the demolition and grading activities for the proposed project, the area of the former auto body and paint, soil and brick and recycling business areas shall be monitored. In the event additional soil contaminated areas are discovered or suspicious environmental concerns are encountered, a qualified professional will be required to assess the areas of concern in accordance with the County of San Diego DEHS Voluntary Assistance Program Case letter dated December 5, 2006 and Case Closure Summary. That may include the preparation and submittal of a written analysis and additional technical studies identifying any new environmental concerns with appropriate remediation measures to the County of San Diego DEHS and City of Chula Vista Environmental Review Coordinator for review and approval.
3. During any demolition activities, a licensed and registered asbestos and lead abatement contractor shall perform asbestos and lead-based paint abatement in accordance with all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

Hydrology and Water Quality

4. Prior to the issuance of a grading permit, a final drainage study shall be required in conjunction with the preparation of final grading plans and must demonstrate that the post-development peak flow rate does not exceed the pre-development flows as indicated in the Preliminary Hydrology Study dated February 9, 2007, and to the satisfaction of the City Engineer. Additionally, the City Engineer shall verify that the final grading plans comply with the provisions of California Regional Water Quality Control Board, San Diego Region Order No. 2001-01 with respect to construction-related water quality best management practices. If one or more of the approved post-construction BMPs is non-structural, then a post-construction BMP plan shall be prepared to the satisfaction of the City Engineer prior to the commencement of construction. Compliance with said plan shall become a permanent requirement of the Mitigation Monitoring and Reporting Program.
5. Prior to the issuance of a grading permit, temporary desilting and erosion control devices shall be installed. Protective devices shall be provided at every storm drain inlet to prevent sediment from entering the storm drain system. These measures shall be reflected in the grading and

improvement plans to the satisfaction of the City Engineer and Environmental Review Coordinator.

G. Consultation

1. Individuals and Organizations

City of Chula Vista:

Steve Power, Planning and Building Department
Marisa Lundstedt, Planning and Building Department
Luis Hernandez, Planning and Building Department
Maria Muett, Planning and Building Department
Ann Pease, Planning and Building Department
Frank Rivera, Engineering Department
Silvester Evetovich, Engineering Department
Tom Adler, Engineering Department
Boushra Salem, Engineering Department
Ben Herrera, Engineering Department
Dave Kaplan, Engineering Department
Kirk Ammerman, Public Works
Gary Edwards, Fire Department
Justin Gipson, Fire Department

Others:

Dee Peralta, Chula Vista Elementary School District
Sweetwater Authority

2. Documents

City of Chula Vista General Plan Update, 2005.

Title 19, Chula Vista Municipal Code.

Final Environmental Impact Report, City of Chula Vista General Plan Update, EIR No. 05-01, December 2005.

City of Chula Vista MSCP Subarea Plan, February 2003.

Preliminary Hydrology Study for Chula Vista Commerce Center II, Chula Vista, February 9, 2007 (Burkett and Wong Engineers).

Phase I Environmental Site Assessment, for 3525-3527 Main Street, Chula Vista, CA and dated May 11, 2001 (Geotek, Inc.).

Phase II Environmental Site Assessment, for 3525-3527 Main Street, Chula Vista, CA and dated October 31, 2005 (Geotek, Inc.).

Interim Site Closure Report, for 3525-3527 Main Street, Chula Vista, CA and dated October 9, 2006 (Geotek, Inc.).

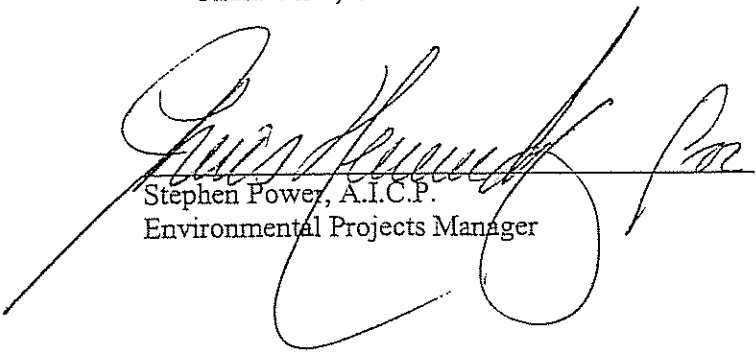
Non-Hazardous Waste Manifesto and Soils Report, for 3525-3527 Main Street, Chula Vista, CA and dated November 27, 2006 (Geotek, Inc.).

County of San Diego Department of Environmental Health Services, Voluntary Assistance Program Case and Closure Summary/Assessment Letter, dated December 5, 2006.

Air Quality Assessment for *Chula Vista Commercial Center II, Chula Vista, California*, and dated February 15, 2007 (Scientific Resources Associated/SRA).

3. Initial Study

This environmental determination is based on the attached Initial Study, and any comments received in response to the Notice of Initial Study. The report reflects the independent judgment of the City of Chula Vista. Further information regarding the environmental review of this project is available from the Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, CA 91910.



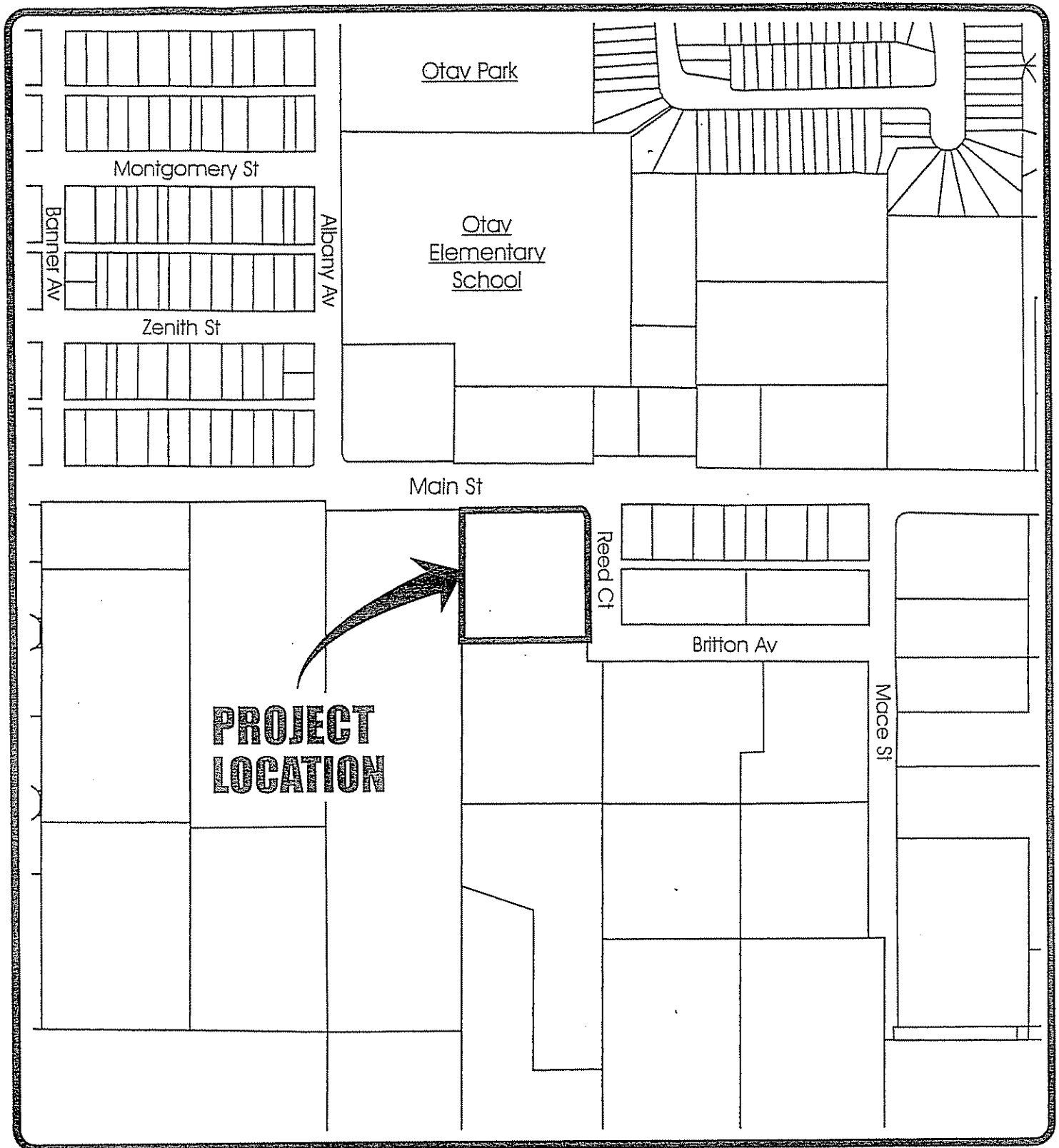
Stephen Power, A.I.C.P.
Environmental Projects Manager

Date:

3/29/07

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3-24



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Voit Development Company

PROJECT ADDRESS: 3525 Main St

SCALE: No Scale

FILE NUMBER: IS-07-022

INITIAL STUDY










Project Summary: Preliminary environmental review for two new industrial buildings (CV Commerce center II).

Related cases:

1	PROPERTY TAX, SEE OTHER INDEMNITIES (*****)
2	RENTAL INCOME
3	ACCIDENTS (FIRST SCHEDULE)
4	ACCIDENTS (SECOND SCHEDULE)
5	ACCIDENTS (THIRD SCHEDULE)
6	ACCIDENTS (FOURTH SCHEDULE)
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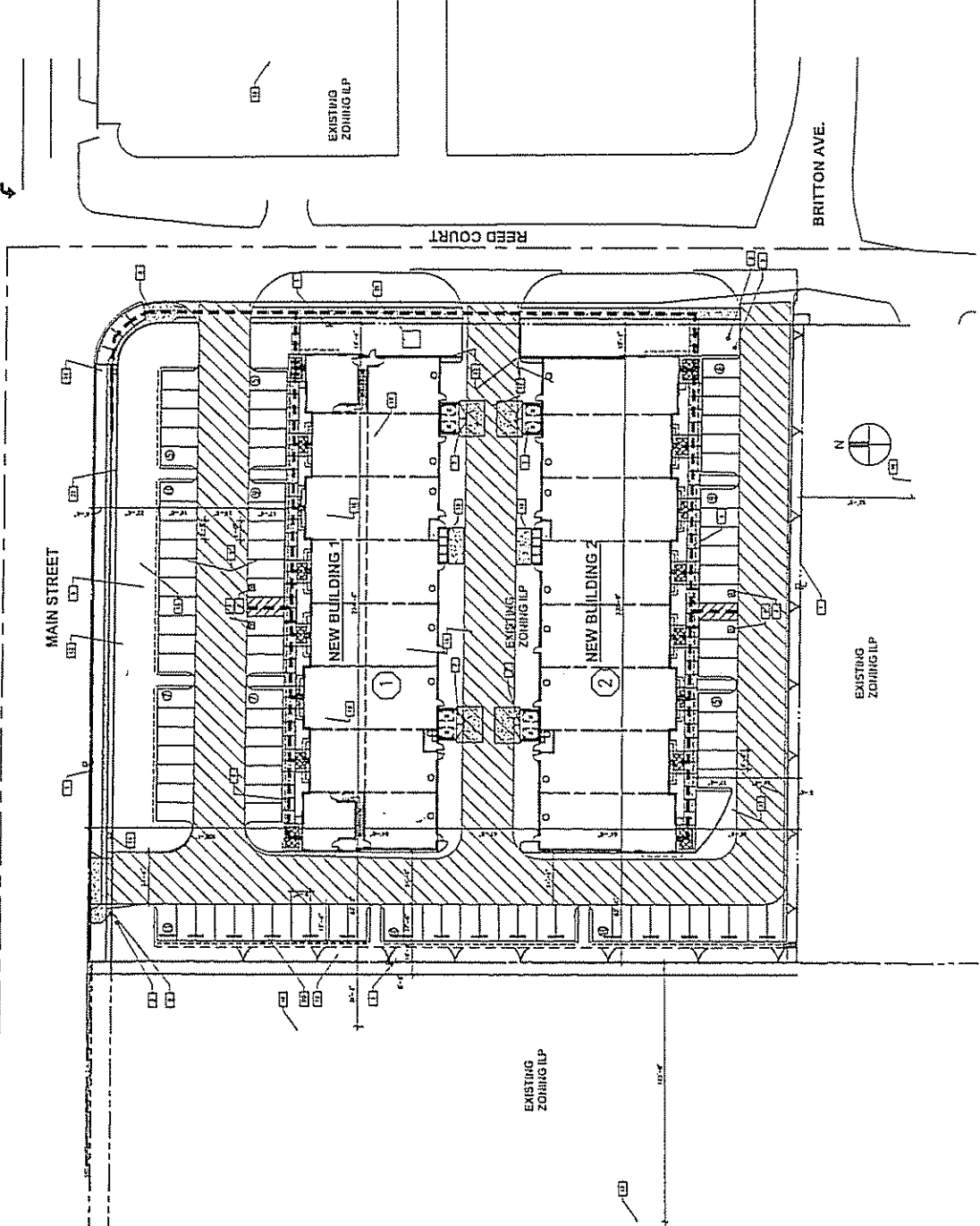
SITE PLAN GENERAL NOTES

SITE LEGEND

-  **UNDESIRABLE WASTE TREATMENT AREA (SEE ELECTRICAL RECORDS FOR LOCATION OF THIS AREA)**
-  **YARD**
-  **ONE (1) 100' DIA. TANK**
-  **TWO (2) 100' DIA. TANKS**
-  **THREE (3) 100' DIA. TANKS**
-  **FOUR (4) 100' DIA. TANKS**
-  **FIVE (5) 100' DIA. TANKS**
-  **SIX (6) 100' DIA. TANKS**
-  **SEVEN (7) 100' DIA. TANKS**

[illegible]

The map shows a proposed road layout with a 'PROJECT SITE' indicated by a dashed line. The site is located between an existing road to the north and a proposed road to the south. A north arrow is present in the upper right corner.



SITE PLAN

ATTACHMENT "A"

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Chula Vista Commerce Center II – IS-07-022

This Mitigation Monitoring and Reporting Program has been prepared by the City of Chula Vista in conjunction with the proposed River Park Estates. The proposed project has been evaluated in an Initial Study/Mitigated Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA) and City/State CEQA Guidelines (IS-07-022). The legislation requires public agencies to ensure that adequate mitigation measures are implemented and monitored for Mitigated Negative Declarations.

AB 3180 requires monitoring of potentially significant and/or significant environmental impacts. The Mitigation Monitoring and Reporting Program for this project ensures adequate implementation of mitigation for the following potential impacts(s):

1. Air Quality
2. Hazards and Hazardous Materials
3. Hydrology and Water Quality

MONITORING PROGRAM

Due to the nature of the environmental issues identified, the Mitigation Compliance Coordinators shall be the Environmental Review Coordinator and City Engineer of the City of Chula Vista. The applicant shall be responsible to ensure that the conditions of the Mitigation Monitoring and Reporting Program are met to the satisfaction of the Environmental Review Coordinator and City Engineer. The applicant shall provide evidence in written form confirming compliance with the mitigation measures specified in Mitigated Negative Declaration IS-07-022 to the Environmental Review Coordinator and City Engineer. The Environmental Review Coordinator and City Engineer will thus provide the ultimate verification that the mitigation measures have been accomplished.

Table 1, Mitigation Monitoring and Reporting Program Checklist, lists the mitigation measures contained in Section F, Mitigation Necessary to Avoid Significant Effects, of Mitigated Negative Declaration IS-07-022, which will be implemented as part of the project. In order to determine if the applicant has implemented the measure, the method and timing of verification are identified, along with the City department or agency responsible for monitoring/verifying that the applicant has completed each mitigation measure. Space for the signature of the verifying person and the date of inspection is provided in the last column.

Table 1

	HAZARDOUS/HAZARDOUS MATERIALS	Plan Check/Site Inspection	Pre Const.	During Const.	Post Const.	Applicant/City Planning and Building Department/City Engineering Department			
2.	During the demolition and grading activities for the proposed project, the area of the former auto body and paint shop, soil and brick and recycling business areas shall be monitored. In the event additional soil contaminated areas are discovered or suspicious environmental concerns are encountered, a qualified professional will be required to assess the areas of concern in accordance with the County of San Diego DEHS Voluntary Assistance Program Case letter dated December 5, 2006 and Case Closure Summary. That may include the preparation and submittal of a written analysis and additional technical studies identifying any new environmental concerns with appropriate remediation measures to the County of San Diego DEHS and City of Chula Vista Environmental Review Coordinator for review and approval.	Plan Check/Site Inspection	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
3. 6-29	During any demolition activities, a licensed and registered asbestos and lead abatement contractor shall perform asbestos and lead-based paint abatement in accordance with all applicable local, state and federal laws and regulations including San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.	Plan Check/Site Inspection	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
	HYDROLOGY/DRAINAGE								
4.	Prior to the issuance of a grading permit, a final drainage study shall be required in conjunction with the preparation of the final grading plans and must demonstrate that the post-development peak flow rate does not exceed the pre-development flows as indicated in the Preliminary Hydrology Study dated February 9, 2007. The City Engineer shall verify that the final grading plans comply with the provisions of California Regional Water Quality Control Board, San Diego Region Order No. 2001-01 with respect to construction-related water quality best management practices (BMPs). If one or more of the approved post-construction BMPs is non-structural, then a post-construction BMP plan shall be prepared to the satisfaction of the City Engineer prior to the commencement of construction. Compliance with said plan shall become a permanent requirement of the Mitigation Monitoring and Reporting Program.	Plan Check/Site Inspection	X	X	X	Applicant/City Planning and Building Department/City Engineering Department			

Table 1

	Prior to the commencement of grading operation, temporary desilting and erosion control devices shall be installed. Protective devices shall be provided at every storm drain inlet to prevent sediment from entering the storm drain system. These measures shall be reflected in the grading and improvement plans to the satisfaction of the City Engineer and Environmental Review Coordinator.	Plan Check/Site Inspection		X	X	X	Applicant/City Planning and Building Department/City Engineering Department			
5.										



ENVIRONMENTAL CHECKLIST FORM

1. Name of Proponent: Voit Development Company
Peter Quinn
2. Lead Agency Name and Address: City of Chula Vista
Planning and Building Department
276 Fourth Avenue
Chula Vista, CA 91910
3. Address and Phone Number of Proponent: 4370 La Jolla Village Drive, #900
San Diego, CA 92122
(858) 458-3383
4. Name of Proposal: Chula Vista Commerce Center II
5. Date of Checklist: February 21, 2007
6. Case No.: IS-07-022

ENVIRONMENTAL ANALYSIS QUESTIONS:

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a-b) The proposal includes the development of two concrete shell buildings, one with a total of 21,991 square-feet, including a 6,693 square-foot mezzanine, and the other consisting of 15,298 square-feet. Both buildings would be used for light manufacturing and limited warehousing space in accordance with the City of Chula Vista Municipal Code and Design Review Guidelines. The proposed landscape improvements would enhance and improve the aesthetic quality of the Main Street corridor. The proposed project would not damage any scenic resources, vegetation, or historic buildings within a state scenic highway. The project site contains no scenic vistas or views open to the public. The project site is north distanced away from the Conservation area and the Otay River Basin and designated as an Urban Developable area within the MSCP Program.
- c) The proposal is an infill industrial development project. The proposed project will not substantially degrade the existing visual character or quality of the project site or its industrial and commercial surroundings. The project site is planned for industrial development according to the General Plan Land Use regulations.
- d) The proposal shall comply with the City's minimum standards for roadway lighting and shall be completed to the satisfaction of the Director of Planning and Building. The project will be required to comply with the light and glare regulations (Section 19.66.100) of the Chula Vista Municipal Code (CVMC). Compliance with these regulations will ensure that no substantial glare, or light would affect daytime or nighttime views in the surrounding area.

Mitigation:

No mitigation measures are required.

II. AGRICULTURAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3-32

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

a-c)The project site is neither in current agricultural production nor adjacent to a parcel in agricultural production and contains no agricultural resources or designated farmland.

Mitigation:

No mitigation measures are required.

III. AIR QUALITY. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

(a-e) See Mitigated Negative Declaration, Section E.

Mitigation:

The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant air quality impacts to level of less than significance.

IV. BIOLOGICAL RESOURCES. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
preservation policy or ordinance?				

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

☐ ☐ ☐ ☒

Comments:

- a) No endangered or sensitive species, species of concern or species that are candidates for listing are present within or immediately adjacent to the developed project area.
- b) No locally riparian habitat or other natural sensitive communities are present within or immediately adjacent to the developed project area.
- c) No wetland habitat is present within or immediately adjacent to the developed project area.
- d) No wildlife dispersal or migration corridors exist within or immediately adjacent to the developed project area.
- e) No impacts to local policies or ordinances protecting biological resources are anticipated with the project development.
- f) No impacts to regional habitat preservation planning efforts will be created, as the development site is a designated development area in the adopted Chula Vista Multiple Species Conservation Program Subarea Plan.

Mitigation:

No mitigation measures are required.

V. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines § 15064.5?

☐ ☐ ☐ ☒

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant

☐ ☐ ☐ ☒

3-35

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
to State CEQA Guidelines § 15064.5?				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a) Based upon site visit and review, it has been determined that the subject building(s) are not historically significant. The structures are non-descript buildings that do not represent a significant period of time or architectural type. There is no evidence or record to indicate these buildings were significant to the history of Chula Vista or would meet any other criteria for consideration for listing on the City of Chula Vista Historic List. No historic resources are known or are expected to be present within the project impact area. Therefore, no substantial adverse change in the significance of a historical resource as defined in Section 15064.5 is anticipated.
- b) Based on the previous site disturbance, the potential for significant impacts or adverse changes to archaeological resource as defined in Section 15064.5 is not anticipated.
- c) Based on the level of previous disturbance to the site and the relatively limited amount of additional grading for the proposed project, no impacts to unique paleontological resources or unique geologic features are anticipated.
- d) No human remains are anticipated to be present within the impact area of the project.

Mitigation:

No mitigation measures are required.

VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State

☐ ☐ ☐ ☒

3-36

Issues:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	Geologist for the area or based on other substantial evidence of a known fault?				
ii.	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii.	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv.	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) The proposed project site is located within a fully developed industrial site. The site has been previously disturbed over the entire length of the site with the construction of existing buildings, accessory structures and easements. The study indicated that the project site is not within a mapped Earthquake Fault Zone or an area with known or suspected seismic hazards. All prior grading associated with the industrial building and accessory structures were performed in accordance with the preliminary geotechnical study. Therefore, impacts to geological resources were determined to be less than significant.
- b) The potential discharge of silt during construction activities could result in siltation impacts downstream, however, appropriate erosion control measures would be identified in conjunction with the preparation of final grading plans and would be implemented during construction. The implementation of appropriate water quality best management practices (BMPs) during construction would be required in accordance with the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP). All portions of the development area disturbed during construction would either be developed or would be appropriately landscaped in compliance with the Chula Vista Municipal Code, Sections 19.36.090 and 19.36.110. Compliance with SUSMP requirements would be ensured by the City Engineer prior to the issuance of grading permits for the proposed project. Compliance with the City and regional standards would lessen any potential impact to less than significant.
- c/d) The preparation and submittal of a final soils report will be required prior to the issuance of a grading permit as a standard engineering requirement. There are no known or suspected seismic hazards associated with the project site. The site is not within a mapped Earthquake Fault Zone. Therefore, project compliance with applicable Uniform Building Code standards would adequately address any building safety/seismic concerns.
- e) The project does not proposed the use of septic tanks or alternative wastewater disposal systems. Sewer services will continue to be provided by the City of Chula Vista. Therefore, development of the proposed project would not result in impacts associated with the use of septic tanks or alternative wastewater disposal.

Mitigation:

No mitigation measures are required.

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3-38

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a,b, c, and d) See Mitigated Negative Declaration, Section E.
- e) The project is not located within an airport land use plan nor within two miles of a public airport or public use airport; therefore, the project would not expose people residing or working in the project area to adverse safety hazards.
- f) The project is not located within the vicinity of a private airstrip; therefore, the project development would not expose people working in the project area to adverse safety hazards.
- h) The project is designed to meet the City's Fire Prevention building, emergency circulation and fire service requirements. No exposure of people or structures to a significant risk of loss, injury or death due to wildfires is anticipated.

Mitigation:

The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant hazards/hazardous material impacts to level of less than significance.

VIII. HYDROLOGY AND WATER QUALITY.

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Result in an increase in pollutant discharges to receiving waters (including impaired water bodies pursuant to the Clean Water Act Section 303(d) list), result in significant alteration of receiving water quality during or following construction, or violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Result in a potentially significant adverse impact on groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or place structures within a 100-year flood hazard area which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: (a-f) See Mitigated Negative Declaration, Section E.

Mitigation:

The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant Hydrology/Water Quality impacts to a level of less than significance.

IX. LAND USE AND PLANNING. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a) The proposed industrial infill project would be consistent with the industrial landuse character of the surrounding area and, therefore, would not disrupt or divide an established community.
- b) The project site is within the ILP (Limited Industrial/Precise Plan) Zone and Limited Industrial (Research and Limited Industrial) General Plan designations. The project has been found to be consistent with the applicable zoning regulations, General Plan, and Design Review regulations.
- c) The project would not conflict with any applicable adopted environmental plans or policies. Furthermore, the project would not encroach into or indirectly affect the MSCP Preserve area. The project site is designated as developable area within the MSCP Subarea Plan.

Mitigation:

No mitigation measures are required.

X. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3-42

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
on a local general plan, specific plan or other land use plan?				

Comments:

- a) The project site is currently developed with industrial land uses and the site has been previously disturbed. The proposed project would not result in the loss of availability of a known mineral resource of value to the region or the residents of the State of California.
- b) The State of California Department of Conservation has not designated the project site for mineral resource protection. No adverse impacts to mineral resources are anticipated as a result of the proposed project.

Mitigation:

No mitigation measures are required.

XI. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3-43

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-d) The project site is surrounded by industrial uses and busy street thoroughfares. No sensitive residential receptors are adjacent or surrounding areas. It is anticipated that on-site workers and employee population may be exposed to construction noise associated with short-term construction activities. However, the project will be required to comply with the City's Noise Ordinance and not anticipated to potentially violate the noise limits of the City's noise control ordinance.

No operational noise impacts are expected due to the proposed facility design. The proposed project will include roll-up doors that face similar land uses and directed away from sensitive receptors. In addition, all business operations would be contained within the buildings and therefore, impacts related to operational noise levels are not expected to be significant.

- e) The project is not located within an airport land use plan nor within two miles of a public airport or public use airport; therefore, the project would not expose people residing or working in the project area to excessive noise levels.
- f) The project is not located within the vicinity of a private airstrip; therefore, the project development would not expose people working in the project area to excessive noise levels.

Mitigation:

No mitigation measures are required.

XII. POPULATION AND HOUSING. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
housing elsewhere?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

a-c) The proposed project involves demolition and replacement of the existing industrial building businesses. The proposal does not involve residential housing and would not induce population growth in the area or require substantial infrastructure improvements. No permanent housing exists on the project site and no displacement of housing or people would occur as a result of the proposal. Based upon the nature of the proposal no population growth inducement is anticipated. The project is an allowable industrial use under the Zoning Ordinance and the General Plan Update.

Mitigation:

No mitigation measures are required.

XIII. PUBLIC SERVICES. Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:

a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) Adequate fire protection services and response times can continue to be provided to the site without an increase of equipment or personnel. The applicant is required to comply with the Fire Department policies for new building construction, emergency circulation, fire hydrants and fire prevention. The proposed project would not have a significant effect upon or result in a need for significantly new or altered fire protection services. The City performance objectives and thresholds will continue to be met.
- b) Adequate police protection services and response times can continue to be provided upon completion of the proposed project. The proposed project would not have a significant effect upon or result in a need for substantial new or altered police protection services. The City performance objectives and thresholds will continue to be met.
- c) The proposed project would not induce population growth; therefore, no significant adverse impacts to public schools would result. According to the Chula Vista School District letter, the applicant would be required to pay the statutory building permit school fees for the non-residential construction/proposed industrial buildings.
- d) The proposed project would not induce population growth; therefore, the project would not have an impact on or create a demand for neighborhood or regional parks or facilities or impact existing park facilities.
- e) The proposed project would not have an impact on or result in a need for new or expanded governmental services and would be served by existing or planned public infrastructure.

XIV. RECREATION. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) Because the proposed project would not induce population growth, it would not create a demand for neighborhood or regional parks or facilities. Neither will the proposed project impact existing neighborhood parks or recreational facilities.
- b) The project does not include the construction or expansion of recreational facilities. The project site is not planned for any future parks and recreation facilities or programs. Therefore, the proposed project would not have an adverse physical effect on the recreational environment.

Mitigation:

No mitigation measures are required.

XV. TRANSPORTATION / TRAFFIC. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

(a-g) No significant increases in traffic trip generation are anticipated as a result of the proposed project. According to the Traffic Engineering Section, due to the minimal increase in project generated traffic, 40 trips, and the fact that the major access roads, Main Street and side street, Reed Court currently operate at LOS C and with project generated traffic will continue to operate at LOS C. It is not anticipated that significant traffic impacts shall occur as a result of the proposed project. The Engineering Division has determined that the proposal does not have the potential to result in any significant traffic impacts; therefore, the preparation of a traffic study was not required.

Mitigation:

No mitigation measures are required.

XVI. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3-48

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
are new or expanded entitlements needed?				
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) The project site is located within an urban area that is served by all necessary utilities and service systems. No exceedance of wastewater requirements of the Regional Water Quality Control Board would result from the proposed project.
- b) The proposed project area is within the Sweetwater District Water service territory. An existing 8-inch water main is located along the Main Street frontage of the project site. The proposed improvements include separate laterals and water meters. The applicant shall be required to coordinate with the Water District for proper design guidance.

The surrounding sewer mains are located along Main Street. The proposed improvements include the extension of the existing main and lateral connection on site. The applicant shall be required to submit a final sewer plan to the satisfaction of the City Engineer. No significant impacts would result from the proposed project.

- c) See Mitigated Negative Declaration, Section E. The potential discharge of silt during construction activities could impact the storm drain system. Appropriate erosion control measures will be identified in conjunction with the preparation of final grading plans to be implemented during construction. The proposed project is subject to the NPDES General Construction Permit requirements and shall obtain permit coverage and develop a Storm Water Pollution Prevention Plan (SWPPP) prior to issuance of grading permits. In addition, the project shall be conditioned to implement construction and post-construction water quality Best Management Practices (BMPs) for storm water pollution prevention in accordance with the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP).
- d) The project site is within the potable water service area of the Sweetwater District. The proposed project will be required to construct minor expansions to existing water facilities as described in Section b above.
- e) See XVI.a. and b.
- f) The City of Chula Vista is served by regional landfills with adequate capacity to meet the solid waste needs of the region in accordance with State law.
- g) The proposal would be conditioned to comply with federal, state and local regulations related to solid waste.

Mitigation: See Section E of the Mitigated Negative Declaration; refer to Hydrology and Water Quality. The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate identified storm water/storm drainage impacts to a level of less than significance.

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. THRESHOLDS

Will the proposal adversely impact the City's Threshold Standards?

A) Library

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The City shall construct 60,000 gross square feet (GSF) of additional library space, over the June 30, 2000 GSF total, in the area east of Interstate 805 by buildout. The construction of said facilities shall be phased such that the City will not fall below the city-wide ratio of 500 GSF per 1,000 population. Library facilities are to be adequately equipped and staffed.

B) Police

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Emergency Response: Properly equipped and staffed police units shall respond to 81 percent of "Priority One" emergency calls within seven (7) minutes and maintain an average response time to all "Priority One" emergency calls of 5.5 minutes or less.

b) Respond to 57 percent of "Priority Two" urgent calls within seven (7) minutes and maintain an average response time to all "Priority Two" calls of 7.5 minutes or less.

C) Fire and Emergency Medical

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Emergency response: Properly equipped and staffed fire and medical units shall respond to calls throughout the City within 7 minutes in 80% of the cases (measured annually).

D) Traffic

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The Threshold Standards require that all intersections must operate at a Level of Service (LOS) "C" or better, with the exception that Level of Service (LOS) "D" may occur during the peak two hours of the day at signalized intersections. Signalized intersections west of I-805 are not to operate at a LOS below their 1991 LOS. No intersection may reach LOS "E" or "F" during the average weekday peak hour. Intersections of arterials with freeway ramps are exempted from this Standard.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
E) <u>Parks and Recreation Areas</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Threshold Standard for Parks and Recreation is 3 acres of neighborhood and community parkland with appropriate facilities/1,000 population east of I-805.				
F) <u>Drainage</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Threshold Standards require that storm water flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with the Drainage Master Plan(s) and City Engineering Standards.				
G) <u>Sewer</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Threshold Standards require that sewage flows and volumes not exceed City Engineering Standards. Individual projects will provide necessary improvements consistent with Sewer Master Plan(s) and City Engineering Standards.				
H) <u>Water</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Threshold Standards require that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth and that water quality standards are not jeopardized during growth and construction.				
Applicants may also be required to participate in whatever water conservation or fee offset program the City of Chula Vista has in effect at the time of building permit issuance.				

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Comments:

- a) The project would not induce substantial population growth; therefore, no impacts to library facilities would result. No adverse impact to the City's Library Threshold standards would occur as a result of the proposed project.
- b) According to the Police Department, adequate police protection services can continue to be provided upon completion of the proposed project. The proposed project would not have a significant effect upon or result in a need for substantial new or altered police protection services. No adverse impact to the City's Police Threshold standards would occur as a result of the proposed project.
- c) According to the Fire Department, adequate fire protection and emergency medical services can continue to be provided to the project site. Although the Fire Department has indicated they will provide service to the project as designed according to the current site plan, the project will contribute to the incremental increase in fire service demand throughout the City. This increased demand on fire services will not result in a significant cumulative impact. No adverse impact to the City's Fire and Emergency Medical Threshold standards would occur as a result of the proposed project.
- d) According to the traffic analysis, the surrounding street segments and intersections will continue to operate in compliance with the City's traffic threshold standard (LOS "C" or better) with the proposed project traffic. No adverse impact to the City's traffic threshold standards would occur as a result of the proposed project.
- e) Because the project is proposed for industrial use and located west of Interstate 805, this Threshold Standard is not applicable.
- f) See Mitigated Negative Declaration, Section E. The proposed drain system includes a series of new drain facilities, detention/catch basins, inlets, pipes and filtering systems as identified in the Preliminary Hydrology Study. Based upon the project modifications, preliminary drainage study, and proposed drainage improvements, and conditioned the Engineering Department has determined that that project will reduce peak runoff flows from the project by incorporation of landscaping and detention facilities within the project boundaries. The study additionally shows that runoff directed towards Reed Court will be reduced from predevelopment levels, thus reducing any potential drainage problems. It has been determined there are no significant issues regarding the proposed drainage improvements as designed in accordance with the Preliminary Hydrology Study. The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate any potential storm water/storm drainage impacts to a level of less than significance. Therefore, no adverse impacts to the City's storm drainage system or City's drainage threshold standards will occur as a result of the proposed project.
- g) The surrounding sewer mains are located along Main Street, Date Street, and Faivre Avenue. The proposed improvements include the extension of the existing sewer main and sewer pipe installations from the adjacent properties into the project site. No adverse impacts to the City's sewer system or City's sewer threshold standards will occur as a result of the proposed project.
- h) The proposed project area is within the Sweetwater District Water service territory. An existing 8-inch water main is located along the frontage of the project site. The improvements will include separate laterals and separate meters, as well as the installation of reduced pressure principle backflow devices. The applicant shall be required to coordinate with the Water District for proper design guidance. No significant impacts to existing facility systems or the City's water threshold standards will occur as a result of the proposed project.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potentially significant Hydrology/Water Quality impacts to a level of less than significance. No mitigation measures are required.

3-53

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a) The project site is currently developed and located within an established urbanized area within the designated development area of the adopted Chula Vista MSCP Subarea Plan and there are no known sensitive plant or animal species or cultural resources on the site. No adverse impacts would occur as a result of the proposal.
- b) No cumulatively considerable impacts associated with the project when viewed in connection with the effects of past projects, other current projects and probable future projects have been identified. As described in the Mitigated Negative Declaration, project impacts would be mitigated to below a level of significance through the required mitigation measures.
- c) See Mitigated Negative Declaration, Section E. Potential impacts to humans associated with air quality, hazards/hazardous materials, and hydrology/water quality would be mitigated to below a level of significance.

Mitigation: The mitigation measures contained in Section F of the Mitigated Negative Declaration would mitigate potential significant cumulative impacts to a level of less than significance.

XIX. PROJECT REVISIONS OR MITIGATION MEASURES:

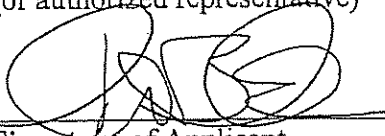
Project mitigation measures are contained in Section F, Mitigation Necessary to Avoid Significant Impacts, and Table 1, Mitigation Monitoring and Reporting Program, of Mitigated Negative Declaration IS-07-022.

XX. AGREEMENT TO IMPLEMENT MITIGATION MEASURES

By signing the line(s) provided below, the Applicant and/or Operator stipulate that they have each read, understood and have their respective company's authority to and do agree to the mitigation measures contained in the Mitigated Negative Declaration (IS-07-022), and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign below prior to posting of this Mitigated Negative Declaration with the County Clerk shall indicate the Applicant and/or Operator's desire that the Project be held in abeyance without approval and that the Applicant and/or Operator shall apply for an Environmental Impact Report.

VOIT DEVELOPMENT COMPANY
PETER B. Quinn

Printed Name and Title of Applicant
(or authorized representative)



Signature of Applicant
(or authorized representative)

2/21/07
Date

Printed Name and Title of Operator
(if different from Applicant)

Signature of Operator
(if different from Applicant)

Date

XXI. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the previous pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Agricultural Resources | | |
| <input checked="" type="checkbox"/> Hydrology/Water | <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Paleontological Resources | <input type="checkbox"/> Mandatory Findings of Significance | |

XXII. DETERMINATION:

On the basis of this initial evaluation:

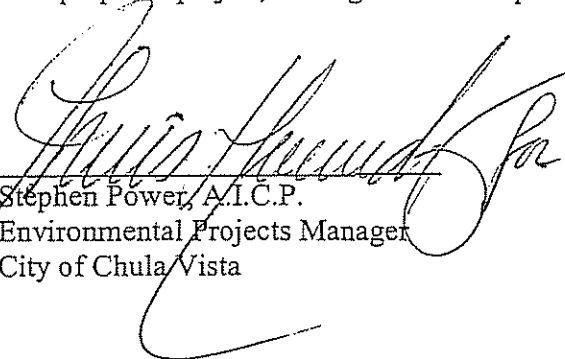
I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared. ☒

I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required. ☐

I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐


Stephen Power, A.I.C.P.
Environmental Projects Manager
City of Chula Vista

3/29/07
Date

CVRC RESOLUTION NO. 2007 _____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION (1) ADOPTING MITIGATED NEGATIVE DECLARATION (IS-07-022); AND (2) APPROVING DESIGN REVIEW PERMIT (DRC-06-69) TO ALLOW THE CONSTRUCTION OF 37,289 SQUARE FEET OF INDUSTRIAL SPACE ON THE SITE LOCATED AT 3525-3527 MAIN STREET

WHEREAS, the parcel, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is located at 3525-3527 Main Street, Chula Vista; and

WHEREAS, on a duly verified application for a Design Review Permit (DRC-06-69), was filed with the City of Chula Vista on behalf of the Voit Development Company, ("Applicant") to enable the development of a 37,289 square foot industrial project located at 3525-3527 Main Street ("Project"); and

WHEREAS, the Environmental Review Coordinator determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been incorporated and agreed to by the project proponent; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation for consideration of the Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, the Chula Vista Redevelopment Corporation (CVRC) held a duly noticed public hearing to consider said application at the time and place as advertised, namely April 12, 2007 at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and said hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED that the Chula Vista Redevelopment Corporation does hereby find, determine, and resolve as follows:

A. ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and an Initial Study, IS-07-022 has been conducted in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, it has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, a Mitigated Negative Declaration, IS-07-022, has been prepared.

The Chula Vista Redevelopment Corporation finds that, in the exercise of its independent judgment, as set forth in the record of its proceedings, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-07-022), which is on file in the Planning and Building Department, has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Environmental Review Procedures of the City of Chula Vista; and that the Project's environmental impacts will be mitigated by adoption of the Mitigation Measures described in the Mitigated Negative Declaration, and contained in the Mitigation Monitoring and Reporting Program, and that the Mitigation Monitoring and Reporting Program is designed to ensure that during Project implementation, the permittee/Project applicant, and any other responsible parties implement the project components and comply with the Mitigation Monitoring Program.

B. CONFORMANCE WITH CITY DESIGN MANUAL

The Chula Vista Redevelopment Corporation does hereby find that the Project is in conformance with the City of Chula Vista Design Manual, Landscape Manual and the requirements of the Zoning Ordinance.

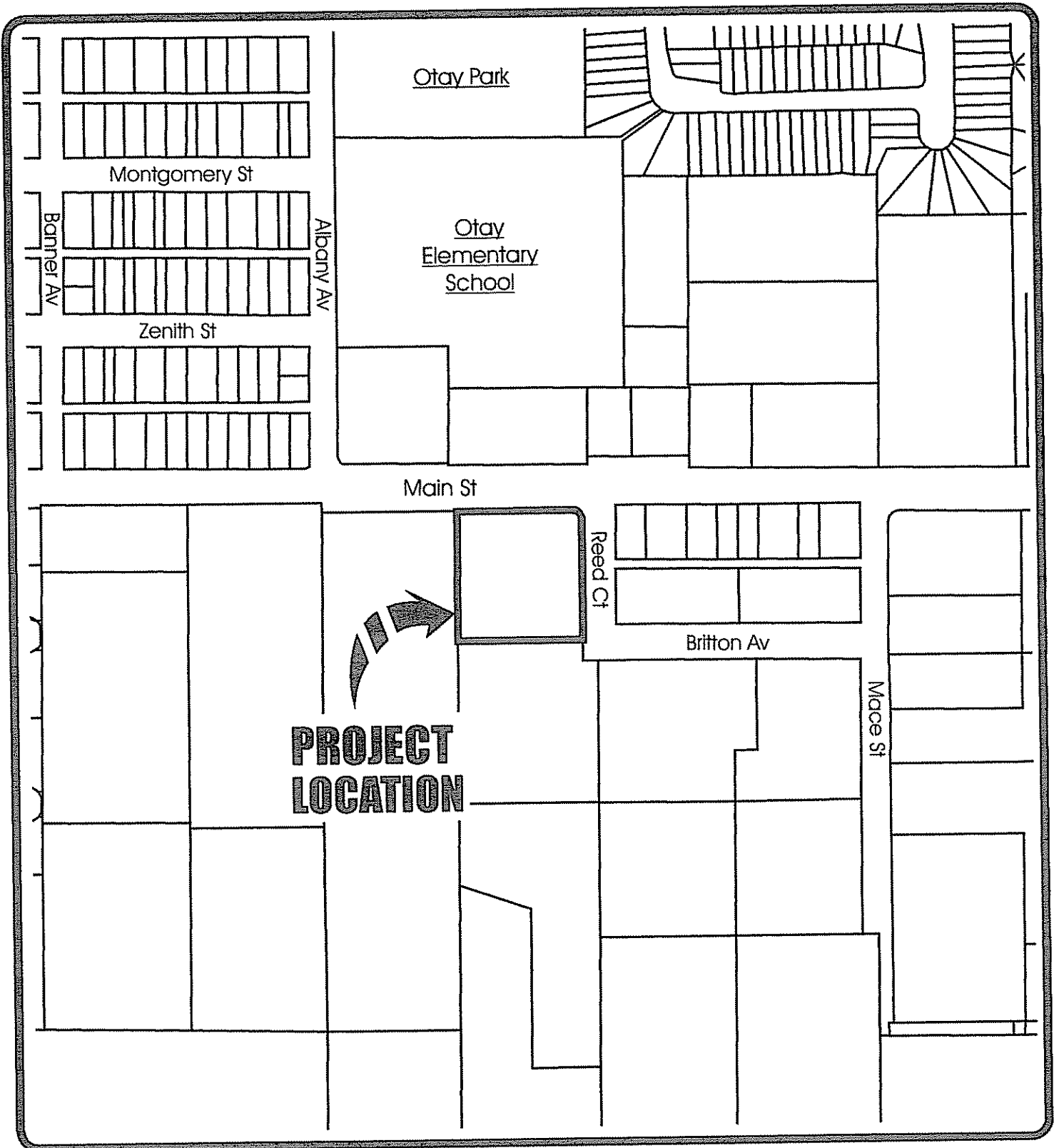
BE IT FURTHER RESOLVED, that the Chula Vista Redevelopment Corporation, after considering all evidence and testimony presented, Adopts Mitigated Negative Declaration (IS-07-022); and Approves Design Review Permit (DRC-06-69), subject to the conditions of Exhibit B to allow the construction of a 37,289 square foot industrial project located at 3525-3527 Main Street.

Presented by

Approved as to form by

Ann Hix
Acting Community Development Director

Ann Moore
General Counsel



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Voit Development Company

PROJECT ADDRESS: 3525 & 3527 Main St

SCALE: No Scale

FILE NUMBER: DRC-06-69

DESIGN REVIEW

Project Summary: Proposing (2) new industrial buildings totaling 5,399 sf and demo existing automotive buildings

Related cases:

3a-3

EXHIBIT A

EXHIBIT B

Design Review Conditions 3525-3527 Main Street

The Chula Vista Redevelopment Corporation does hereby approve Design Review Application DRC-06-069, subject to the following conditions:

1. The subject property shall be maintained in substantial conformance with the approved application, plans, and color and material board, except as modified herein.
2. Applicant shall submit all final interior and exterior design plans, landscape and irrigation plans, solid waste and recycling plans for review and approval prior to the issuance of building permits.
3. The applicant/owner shall comply with all applicable federal, state, and local requirements, and in any case where it does not comply, this permit is subject to modification or revocation.
4. This permit shall become void and ineffective if not used or extended within one year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
5. This permit shall be subject to any and all new, modified, or deleted conditions imposed after approval of this permit to protect the public from a specific condition dangerous to its health or safety or both due to the project, which condition(s) the City shall impose after advance written notice to the permittee and after the City has given the permittee the right to be heard with regard thereto. However, the City in exercising this reserved right/condition, may not impose a substantial expense or deprive permittee of a substantial revenue source which the permittee cannot, in the normal operation of the use permitted, be expected to economically recover.
6. The applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees, agents, and representatives from and against all liabilities, losses, damages, demands, claims, and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising directly or indirectly from a) City's approval and issuance of this permit, b) City's approval or issuance of any other permit or action, whether discretionary or non discretionary, in connection with the use contemplated herein, and without limitation, any and all liabilities arising from the operation of the facility. Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The applicant's compliance with this provision is an express condition of this permit and this provision shall be binding on any and all of the applicant's successors and assigns.

Applicant's Signature

Date

PLANNING AND BUILDING DEPARTMENT CONDITIONS

7. The project shall comply, prior to issuance of building permits, with applicable codes and requirements, including but not limited to 2001 CBC, CFC, CMC, CPC, ADA, and 2004 CEC requirements.
8. Complete landscape plans shall be provided with the building permit submittal for review and approval of the Landscape Planner. Landscape plans shall be complete and satisfy all requirements of the City Landscape Manual. They shall also incorporate the following features:
 - a. The Landscape Plan shall indicate which specific plant choices and number of plants shall occur on each part of the site.
 - b. The planting strip shown adjacent to the Main Street right-of-way shall be moved. The planting strip shall now be adjacent to the property line, providing a 25'-0" wide planting area on the north side of the parcel.
 - c. The Western Redbud indicated at the site entrance on the north side of the parcel shall be replaced with a more hardy and significant varietal.
9. All parking spaces shall be a minimum of 17'-6" without wheelstops, and their dimensions shall be indicated on the site plan, to be approved by staff prior to submittal for building permits.
10. Colors selected for the Reed Court side of the structures shall be of a more varied palette than those previously indicated, and shall be approved by staff prior to submittal for building permits.
11. The width of the steel canopy on the east side of the structures shall be increased to match the width on the north side.

FIRE DEPARTMENT CONDITIONS

12. Twenty-foot access at the site entrance and parking lot shall be provided for Fire Department vehicles at all times.
13. Any modifications to the existing Fire Alarm System shall require a separate submittal to the Chula Vista Fire Department Prevention Division.
14. Plans submitted to the Fire Department shall include the location of the nearest fire hydrants.
15. Plan check fees shall be required for verification of existing life safety systems (fire sprinklers, fire alarm and fire hydrants).

16. Minimum size Fire Extinguishers shall be 2A10BC and shall be located every 75 feet of travel.
17. Knox Box shall be required for Fire Department access to the building front entrance and fire riser room. Order forms are available through the Fire Department.
18. Policy 2916 (construction site policy for compliance with fire safety provisions) shall be signed and included with submitted plans.
19. Plans shall include information on sprinkler density for this building and include placard information from riser.

GENERAL SERVICES DEPARTMENT CONDITIONS

20. The applicant shall develop and submit a Recycling and Solid Waste Management Plan for construction and demolition debris through to occupancy to the Environmental Services Program Manager for review and approval as part of the permit process.
21. The plan shall demonstrate those steps the Applicant will take to comply with Municipal Code, including but not limited to Section 8.24, 8.25 and 19.58.340 and meet the State mandate to reduce or divert at least 50% of the waste generated by all residential, commercial and industrial developments (including demolition and construction phases).
22. The applicant shall contract with the City's franchise hauler throughout the construction and occupancy phases of the project.

ENGINEERING CONDITIONS:

23. Applicant shall submit street improvement plans and obtain a construction permit in accordance with the City's Subdivision Manual to perform any work in the City's right-of-way, which may include, but is not limited to:
 - a) Sewer lateral connections to existing public utilities.
 - b) All utilities serving the proposed shall be underground.
 - c) The proposed driveways should have a minimum width of 30 feet. The engineer must provide truck turning template exhibits to show that turns into the site will work. Per CVCS-1A, curb openings shall be a minimum 3 feet from any obstructions (i.e. power poles).
24. Main Street Improvements:
 - a) Widening of existing PCC sidewalk to a width of 8 feet from the face of the curb to back of sidewalk.
 - b) Any damaged or broken sidewalk on Main Street shall be replaced.

25. Reed Court Improvements shall require the following:

- a) Reconstruction and cleaning of the existing open channel to the satisfaction and approval of the City Engineer.
- b) Install temporary PCC sidewalk along Reed Court behind the existing power poles. Power pole relocation by developer may be required to provide ADA compliant sidewalk
- c) Construct temporary asphalt berm from the end of the open channel, to the existing edge of pavement.
- d) Street improvement deferral for the ultimate street widening of Reed Court (curb, gutter, sidewalk and asphalt paving) and construction of the storm drain system along the property frontage.
- e) Maintenance rights to the City of Chula Vista for open channel maintenance activities for 5 years. This includes any environmental permits required for maintenance within channel bottom.

26. A pedestrian ramp with truncated domes per City Standards is required at the southwest corner of Main Street and Reed Court.

27. An approved construction permit is required prior to Engineering releasing the building permit.

28. Prior to the issuance of building permits, Applicant shall obtain a construction permit from the Engineering Department to perform any work required within the public right-of-way.

29. All driveways must comply with ADA requirements. Pedestrian ramps, where required, shall be constructed per ADA standards and approved by the City.

30. Applicant shall pay the applicable Engineering fees based on the final plans submitted.

ENVIRONMENTAL MITIGATION CONDITION

31. The applicant shall implement to the satisfaction of the Planning and Building Department and the City Engineering Division the mitigation measures identified in the Chula Vista Commerce Center II Mitigated Negative Declaration (IS-07-022) and Mitigation Monitoring and Reporting Program.